



**Governor's Military Facilities Taskforce
Recommended Strategies**
(As approved on 11-18-03)

Recommendation Actions:

- Actions Requiring Executive Direction
- Actions Requiring Legislative Change
- Actions Requiring Congressional Support

Actions Requiring Executive Direction

1) Through the Arizona Department of Commerce, recognize Arizona's military installations, training resources and research, development, test and evaluation activities as a separate economic cluster to recognize their value as a foundation of the Arizona economy and fully incorporate them into state, regional and local economic development planning and marketing.

2) Develop an on-going State revenue source to assist military installation preservation and expansion projects where appropriate at the local level and installation level

- In FY 05 divert \$1 million to establish Military Installation Fund (MIF)
- For tax year ending Dec 31, 2004 through tax year 2024, divert 5% of Arizona income tax attributable to military personnel

State revenue source

An on-going State revenue source to assist military installation preservation and expansion projects at the local level and installation level.

- A. In Fiscal Year 2005 (effective July 1, 2004), divert \$1 million to establish Military Installation Fund (MIF)
- B. Tax year beginning on or after December 31, 2004 through FY 2024, divert 5% of Arizona income tax attributable to active duty, National Guard, reserve and retired compensation originating from the Federal government.

- C. Revenue stream should be protected and the MIF designated for the sole purpose it was intended according to established criteria

Implementation Actions required:

1. December 1, 2003 – June 30, 2004
 - Budget \$1 million in FY 2005 budget
 - Establish MIF (AZ Dept of Revenue)
 - Have the Arizona Department of Revenue track the Arizona income tax attributable to active duty, National Guard, reserve and retired compensation originating from the Federal government through the Defense Finance & Accounting Service (DFAS) by the applicable the W-2s and 1099Rs
 - Determine criteria for award of grants (Military Affairs Commission)
2. Tax year beginning on or after December 31, 2004
 - Fund MIF

3) Establish a permanent body (i.e. a military affairs commission) to monitor and make recommendations on executive, legislative and federal actions necessary to sustain and grow Arizona's network of military installations, testing and training ranges and airspace.

Military Affairs Commission

Establish by Executive Order

Mission: Monitor and make recommendations on executive, legislative and federal actions necessary to sustain and grow Arizona's network of Military installations, training ranges and airspace.

- Actively support the implementation of recommendations of Governor's Military Facilities Taskforce.
- Regularly meet with Governor to advise Governor on military issues and report progress on implementation.
- Serve as resource for communications with legislature, federal delegation, media and community.
- Develop criteria including accountability for awarding community grants from Military Installation Fund.
- Annually recommend a priority listing of grants with available resources.
- Establish state-wide network at local level.
- Monitor implementation of taskforce recommendations

Duration: Twenty years to coincide with revenue stream for Military Installation Fund

Membership: Governor appointment

- Four year terms – no term limits locally elected officials limited to term of office
- Individual members must be knowledgeable and committed to mission
- Composition: Fifteen members:
 - 5 – 1 each local elected official; 5 – 1 each individual qualified and committed; 2 – Representatives from the State Legislature (1- appointed by the Speaker of the House and 1 – appointed by the President of the Senate); 1 – Member at large; 2 – Co-chairs selected by Governor

(*The term “locally elected” officials above means officials from cities, towns and counties.)

Ex Officio – Governor’s Chief of Staff, State Legislative Military Base Advisory Group, Installation Commanders, Arizona Adjutant General and a representative from a federal agency involved in land use issues

Staff: Governor’s Policy Advisor for military affairs and Representatives from Attorney General, State Land Department, Real Estate Commission, Arizona Department of Commerce and others depending on issue

4) Establish a fulltime presence in Washington D.C. to represent the importance/capabilities of each of Arizona’s military installations as a unique network of multi-service bases and monitor and report back to the Governor and a state-level military affairs commission on issues impacting these installations.

5) Direct the Arizona State Land Commissioner to consider land use compatibility with Arizona’s military installations in planning, management and disposition of State Trust lands through existing and future tools including an exchange authority, if granted in the best interests of the trust beneficiaries.

6) Recognize the current Attorney General’s position on ARS 28-8481(k) and that no further action is needed at this time.

7) Encourage local jurisdictions (i.e. cities, counties and towns) affected by military installations to consider innovative approaches used in other locations to deal with land use issues.

8) Request the Arizona Department of Real Estate modify their public report application to include disclosures about “military facilities and operating areas” as defined in A.R.S. 28-8461 (See Recommendation #14) and update the disclosure statements on the public report to reflect this change.

9) Recommend State support and encourage the activities of local partnerships within local jurisdictions, impacted communities, state agencies, military

installations and various other stakeholders to address military preservation issues at the local level

10) Direct Arizona natural resource agencies to monitor and manage issues of environmental concern as they relate to Arizona's military installations and submit written reports to the Governor's Military Affairs Commission on an annual basis as follows:

- Arizona Department of Environmental Quality monitor and report status under their jurisdiction including but not limited to air quality, water quality, and hazardous waste issues as they relate to Arizona's military facilities and provide annual report including recommendations, if appropriate;
- Arizona Department of Water Resources to monitor water usage and implement water policy in a manner to maintain sustainable yield in aquifers located in the vicinity of Arizona's military facilities and to submit written report on water use management and conservation measures;
- Arizona Game and Fish Department in fulfilling their mission to protect Arizona's wildlife to submit written report on the status of listed and/or threatened species and relationship of those species to Arizona's military facilities.

11) Reestablish the Governor's Advisory Council on Aviation with appropriate military representation and direct the Arizona Department of Transportation to secure federal funding to finance detailed analysis and planning for future needs and demands of both military and civil aviation in Arizona.

Actions Requiring Legislative Change

12) Develop an on-going State revenue source to assist military installation preservation and expansion projects where appropriate at the local level and installation level where appropriate.

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13) Revise the “military airport” definition listed in A.R.S. 28-8461 to recognize Gila Bend Air Force Auxiliary Airfield, Luke Air Force Base Aux-1 and the two helipads (Picacho Stage Field and Rittenhouse Stage Field) used for helicopter training at Silverbell airfield as critical operating components of Arizona’s the military airport operations and provide similar protections to these critical operating components, but exclude Yuma Aux-2.

14) Revise the definitions listed in A.R.S. 28-8461 to read as follows:

Proposed Addition: #21. “Military facilities and operating areas” means heliports, auxiliary fields, ranges, training and testing facilities and military training routes essential to the military mission in Arizona and used as critical operating components for military operations conducted by an armed force of the United States.

15) Revise A.R.S. 9-461.05C.1.(f) to read as follows:

Current Language: C. The general plan shall consist of a statement of community goals and development policies. It shall include maps, any necessary diagrams and text set forth objectives, principles, standards and plan proposals. The plan should include the following: ... (f) For cities and towns with territory in the vicinity of a military airport as defined in Section 28-8461, includes consideration of military airport operations.

Revision: C. The general plan shall consist of a statement of community goals and development policies. It shall include maps, any necessary diagrams and text set forth objectives, principles, standards and plan proposals. The plan should include the following: ... (f) For cities and towns with territory in the vicinity of a military airport as

defined in Section 28-8461, includes consideration of military airport operations, **military facilities and operating areas**.

16) Revise A.R.S. 11-806B to read as follows:

Current Language: B. The commission shall prepare and recommend to the board a comprehensive plan of the area of jurisdiction of the county in the manner prescribed by article 2 of this chapter. The purpose of the plan is to bring about coordinated physical development in accordance with the present and future needs of the county. The comprehensive plan shall be developed so as to conserve the natural resources of the county, to insure efficient expenditure of public funds, and to promote the health, safety, convenience, and general welfare of the public. Such comprehensive plan may include but not be limited to, among other things, studies and recommendations relative to the location, character and extent of highways, railroads, bus and other transportation routes, bicycle facilities, bridges, public buildings, public services, schools, parks, open space, housing quality, variety and affordability, parkways, hiking and riding trails, airports, forests, wildlife areas, dams, projects affecting conservation of natural resources, air quality, water quality and floodplain zoning. For counties with territory in the vicinity of a military airport as defined in section 28-8461, the commission shall also consider military airport operations. Such comprehensive plan shall be a public record, but its purpose and effect shall be primarily as an aid to the county planning and zoning commission in the performance of its duties.

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17) Revise the definitions listed in A.R.S. 28-8461(8)(b)&(c) to read as follows:

Current Language: (b) In political subdivisions located in a county with a population of more than eight hundred thousand persons but less than two million persons, the area

southeast of the runway within the noise contours established by the most recent air installation compatible use zone report recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the southeast runway end at a width of two thousand feet and extending outward thirty thousand feet to a width of ten thousand four hundred feet.

(c) In political subdivisions located in a county with a population of eight hundred thousand persons or less, within the noise contours established by the most recent air installation compatible use zone report recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the end points of the main runways and at a width of three thousand feet and symmetrical about a centerline between the runways extending outward to a point thirty thousand feet from the point of beginning. The outer width is seventeen thousand five hundred feet.

Revisions: (b) In political subdivisions located in a county with a population of more than eight hundred thousand persons but less than two million persons, the area southeast of the runway within the noise contours established by the most recent air installation compatible use zone report **or the report of a cooperative land use planning effort among affected political subdivisions and the military airport** recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the end points of the main runways and at a width of three thousand feet and symmetrical about a centerline between the runways extending outward to a point thirty thousand feet from the point of beginning. The outer width is seventeen thousand five hundred feet.

(c) In political subdivisions located in a county with a population of eight hundred thousand persons or less, within the noise contours established by the most recent air installation compatible use zone report **or the report of a cooperative land use planning effort among affected political subdivisions and the military airport** recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the end points of the main runways and at a width of three thousand feet and symmetrical about a centerline between the runways extending outward to a point thirty thousand feet from the point of beginning. The outer width is seventeen thousand five hundred feet.

18) Identify acreages affected by departure corridors, APZs and high noise areas as defined in A.R.S. 28-8461-8 in sufficient detail for land use determination;

Formally incorporate these acreages into State statutes and local ordinances for planning and zoning purposes

8. "High noise or accident potential zone" means any property located in the following zones:

(a) In political subdivisions located in a county with a population of two million or more persons, within the 1988 noise contours developed and recognized by the regional planning agency in that county that includes the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the south end of the westernmost runway at a width of one thousand five hundred feet west and two thousand five hundred feet east, measured perpendicular to the centerline of the runway, and extending southwesterly parallel to the runway for a distance of thirty thousand feet.

(b) In political subdivisions located in a county with a population of more than eight hundred thousand persons but less than two million persons, the area southeast of the runway within the noise contours established by the most recent air installation compatible use zone report recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the southeast runway end at a width of two thousand feet and extending outward thirty thousand feet to a width of ten thousand four hundred feet.

(c) In political subdivisions located in a county with a population of eight hundred thousand persons or less, within the noise contours established by the most recent air installation compatible use zone report recognized by the military airport and political subdivisions in that county, including the arrival and departure corridor that is the accident potential zone one and accident potential zone two plus the land area described as follows: starting two hundred feet from the end points of the main runways and at a width of three thousand feet and symmetrical about a centerline between the runways extending outward to a point thirty thousand feet from the point of beginning. The outer width is seventeen thousand five hundred feet.

19) Revise A.R.S. 9-461.06(D) (new section D with subsequent sections being re-lettered) to read as follows:

If the general plan or portion, element or major amendment of the general plan is applicable to **properties within the high noise or accident potential zones** of a **military airport, a military facility and operating area** as defined in Section 28-8461, the Department of Commerce or any other state agency designated as the planning agency for the state must determine compliance with Section 28-8481 and Section 28-8482 before the general plan or a portion, element or major amendment may be adopted.

20) Revise to A.R.S. 11-806.(H) (new section H) to read as follows:

If the comprehensive plan or portion, element or major amendment of the comprehensive plan is applicable to **properties within the high noise or accident potential zones** of a **military airport, a military facility and operating area** as defined in Section 28-8461, the Department of Commerce or any other state agency designated as the planning agency for the state must determine compliance with Section 28-8481 and Section 28-8482 before the comprehensive plan or a portion, element or major amendment may be adopted.

21) Revise ARS 28-8461 for a repeal of the post-action reporting requirement of local jurisdictions in the vicinity of a military airport to the Attorney General's Office.

22) Mandate that local jurisdiction(s) adopt via the public hearing process established in titles 9 and 11 for land use decisions, noise contours if appropriate for military facilities and operating areas and utilize the land use compatibility recommendations set forth in A.R.S. 28-8481.

23) Mandate that local jurisdictions adopt via the public hearing process established in titles 9 and 11, the appropriate "vicinity boxes" for notification of purchasers of property in areas affected by military facilities and operating areas. (Applies only to areas that do not already have a vicinity box defined)

24) Expand current county planning and zoning authority to enable them to better manage growth and development in areas impacted by military airports, military facilities and operating areas including the impact of lot splits and to allow the transfer of development rights.

25) Add a disclosure statement on the title of the property and/or lease agreement to enhance the notification for all buyers, renters and leasers of property in the vicinity of a military airport.

Actions Requiring Congressional Support

26) Recommend to the Arizona Congressional Delegation that enabling and funding legislation be drafted and enacted within the 108th Congress that would direct the Bureau of Land Management (BLM) move forward in a timely and expeditious manner with the acquisition of nonfederal lands through an exchange process, on a willing seller basis, which would protect and enhance operations at military installations within the State of Arizona. The enabling legislation should also include provisions to authorize the BLM to sell at public auction certain public lands and use the proceeds from such sales, within the State of Arizona, to purchase nonfederal lands, on a willing seller basis, which may be identified as necessary to protect the long term mission viability at military installations in Arizona. The enabling legislation should additionally include such provisions as

may be necessary to allow for the transfer of all or part of those nonfederal lands legislatively authorized and acquired by the BLM in the vicinity of the military installations to be conveyed to the State of Arizona via friendly condemnation, for certain state trust lands located within areas of special federal designation

27) Request that the Arizona Congressional Delegation continue to seek federal appropriations for the purchase and/or lease of development rights or acquisition of property from willing landowners of properties within the high noise or accident potential zones of a military airport, a military facility and operating area as defined in Section 28-8461.